

## AMENDMENTS TO THE CLAIMS:

This listing of claims will replace all prior versions and listings of claims in the applications:

1-69. (Cancelled)

70. (Currently amended) An isolated nucleic acid comprising a sequence of nucleotides encoding or complementary to a sequence encoding a flavonoid methyltransferase (FMT) or a functional derivative thereof, which FMT or functional derivative acts on ~~anthocyanins~~an anthocyanin molecule.

71. (Previously presented) The isolated nucleic acid molecule of Claim 70 wherein the FMT is a Class I *S*-adenosyl-L-methionine *O*-methyltransferase (SAM-OMTs).

72. (Currently amended) The isolated nucleic acid molecule of Claim ~~72~~70 wherein the FMT is 3'FMT or 3'5'FMT.

73. (Currently amended) The isolated nucleic acid molecule of Claim 70 wherein the anthocyanin molecule is a derivative of delphinidin.

74. (Previously presented) The isolated nucleic acid molecule of Claim 70 wherein the anthocyanin molecule is a derivative of petunidin or cyanidin.

75. (Previously presented) The isolated nucleic acid molecule of Claim 70 wherein the anthocyanin molecule is delphinidin 3-glucoside, delphinidin 3, 5-diglucoside or delphinidin 3-rutinoside.

76. (Currently amended) The isolated nucleic acid molecule of Claim 70 wherein methylation of ~~an~~said anthocyanin molecule results in the production of a petunidin, malvidin or peonidin derivative.

77. (Currently amended) The isolated nucleic acid molecule of Claim 70 ~~having the~~ comprising a nucleotide sequence selected from the list consisting of:

- (i) a nucleotide sequence set forth in SEQ ID NO:11;
- (ii) a nucleotide sequence having at least about 50 % identity after optimal alignment to SEQ ID NO:11;
- (iii) a nucleotide sequence capable of hybridizing under low stringency conditions to SEQ ID NO: 11 or its complementary form;
- (iv) a nucleotide sequence capable of encoding the amino acid sequence set forth in SEQ ID NO:12;
- (v) a nucleotide sequence capable of encoding an amino acid sequence having at least about 50% similarity after optimal alignment to SEQ ID NO:12; and
- (vi) a nucleotide sequence capable of hybridizing under low stringency conditions to the nucleotide sequence in (iv) or (v) or its complementary form.

78. (Previously presented) A genetic construct comprising a nucleic acid molecule encoding or complementary to a sequence encoding an FMT or functional derivative thereof, which FMT or derivative acts on anthocyanins.

79. (Currently amended) The genetic construct of Claim 78 ~~having the~~ comprising a nucleotide sequence selected from the list consisting of:

- (i) a nucleotide sequence set forth in SEQ ID NO:11;
- (ii) a nucleotide sequence having at least about 50 % identity after optimal alignment to SEQ ID NO:11;
- (iii) a nucleotide sequence capable of hybridizing under low stringency conditions to SEQ ID NO: 11 or its complementary form;
- (iv) a nucleotide sequence capable of encoding the amino acid sequence set forth in SEQ ID NO:12;
- (v) a nucleotide sequence capable of encoding an amino acid sequence having at least about 50% similarity after optimal alignment to SEQ ID NO:12; and
- (vi) a nucleotide sequence capable of hybridizing under low stringency conditions to the nucleotide sequence in (iv) or (v) or its complementary form.

80. (Previously presented) A genetically modified plant or part thereof or cells therefrom comprising genetic material encoding or complementary to a sequence encoding an FMT or a functional derivative thereof, which FMT or derivative acts on anthocyanins.

81. (Currently amended) The genetically modified plant or part thereof or cells therefrom of Claim 80 ~~having the~~ comprising a nucleotide sequence selected from the list consisting of:

- (i) a nucleotide sequence set forth in SEQ ID NO:11;
- (ii) a nucleotide sequence having at least about 50 % identity after optimal alignment to SEQ ID NO:11;
- (iii) a nucleotide sequence capable of hybridizing under low stringency conditions to SEQ ID NO: 11 or its complementary form;
- (iv) a nucleotide sequence capable of encoding the amino acid sequence set forth in SEQ ID NO:12;
- (v) a nucleotide sequence capable of encoding an amino acid sequence having at least about 50% similarity after optimal alignment to SEQ ID NO:12; and
- (vi) a nucleotide sequence capable of hybridizing under low stringency conditions to the nucleotide sequence in (iv) or (v) or its complementary form.

82. (Currently amended) The genetically modified plant or part thereof or cells therefrom of Claim ~~80 or~~ 81 wherein said plant or part thereof or cells therefrom is from a cut-flower species.

83. (Currently amended) The genetically modified plant or part thereof or cells therefrom of Claim ~~80 or~~ 81 wherein said plant or part thereof or cells therefrom is a horticultural plant species.

84. (Currently amended) The genetically modified plant or part thereof or cells therefrom of Claim ~~80 or~~ 81 wherein said plant or part thereof or cells therefrom is an agricultural plant species.

85. (Currently amended) The genetically modified plant or part thereof or cells thereof ~~of~~ according to any one of Claims 82 or 83 or to 84 wherein the plant exhibits altered flowers or

inflorescence.

86. (Currently amended) The genetically modified plant or part thereof or cells therefrom of according to any one of claims~~Claim 82 or 83 or to 84 or 85~~ wherein said altered part is a sepal, bract, petiole, peduncle, ovary or anther stem.

87. (Currently amended) The genetically modified plant or part thereof or cells therefrom of according to any one of claims~~Claim 82 or 83 or to 84 or 85~~ wherein said altered part is a leaf, root, flower, seed, fruit, nut, berry or vegetable.

88. (Previously presented) Flowers cut or severed from a plant of Claim 80 or 81.

89. (Currently amended) Progeny, offspring of progeny or vegetation propagates lines of the genetically modified plant of any one of Claims 80 to ~~87~~84.

90. (Previously presented) An extract from a plant or plant part of Claim 80 or 81.

91. (Previously presented) The extract of Claim 90 wherein the extract is a flavoring or food additive or health product or beverage or juice or coloring.